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10 UNITED STATES BANKRUPTCY COURT
11 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

12 In re:

13 NORTHWEST TERRITORIAL MINT, LLC,
14 Debtor.
15

Case No. 16-11767-CMA

**ORDER AUTHORIZING FINAL
RESOLUTION OF CASE AND
GRANTING RELATED RELIEF**

16 This matter having come before the Court upon the Motion for Entry of Order Authorizing
17 Final Resolution of Case and Granting Related Relief (“**Dismissal Motion**”) filed by the chapter 11
18 Trustee, Mark Calvert (the “**Trustee**”), and the Court having considered the Dismissal Motion, the
19 Declaration of Mark Calvert in support thereof, any objections and reply briefs, if any, the arguments
20 of counsel and objecting party Monica Koss, if any, and the pleadings and papers on file, and having
21 found that the Trustee has provided due and sufficient notice of hearing on the Dismissal Motion and
22 the relief set forth in the Dismissal Motion, that no further notice is required; that the relief requested
23 in the Dismissal Motion is in the best interests of the estate and creditors, and reasonable in light of
24 the facts and circumstances; and that sufficient cause exists to render the provisions of Section
25 349(b) inapplicable to this chapter 11 case.
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ORDER AUTHORIZING FINAL RESOLUTION OF
CASE AND GRANTING RELATED RELIEF- 1
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1 **NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED**
2 **THAT:**

3 A. The relief requested in the Dismissal Motion shall be, and hereby is, GRANTED as
4 provided in this Order (hereafter “**Order of Dismissal**”).

5 B. To the extent not resolved or withdrawn, any and all objections to the Dismissal
6 Motion shall be, and hereby are, overruled and denied.

7 C. Notwithstanding Section 349 of the Bankruptcy Code, all orders and stipulations
8 entered in this chapter 11 case and all agreements entered and transactions implemented by the
9 Trustee during the pendency of this chapter 11 case from the Petition Date through the date of
10 dismissal of this case, shall survive, remain effective and in full force after the dismissal of this
11 chapter 11 case and the Court shall retain exclusive jurisdiction to interpret, implement, enforce and
12 support such orders, stipulations and agreements.

13 D. All fees payable pursuant to Chapter 123 of Title 23, United States Code, as
14 determined by the Bankruptcy Court on the dismissal date, including, but not limited to, quarterly
15 fees owed to the Office of the United States Trustee, shall be paid by the Trustee within seven (7)
16 days of the ~~entry of this Order of Dismissal~~ Trustee’s receipt of the refund of funds delivered to the
17 government lockbox and intended to satisfy United States Trustee fees which were misapplied to the
18 account of the Department of Housing and Urban Development.

19 E. The Trustee shall distribute, on a pro rata basis, any remaining cash in the estate (after
20 payment of United States Trustee fees) to the following administrative priority creditors with
21 outstanding allowed administrative priority claims: K&L Gates LLP, the Trustee, and Cascade
22 Capital LLC (“**Administrative Priority Creditors**”).

23 F. The Trustee shall, after entry of this Dismissal Order, retain authority to collect any
24 amounts owed to the Trustee or this bankruptcy estate from the Office of the Administrator of the
25 United States Courts on account of expense reimbursements whether or not such amounts are
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1 received before or after entry of this Dismissal Order and is authorized to distribute those proceeds
2 to Administrative Creditors.

3 The Trustee shall, after entry of this Dismissal Order, retain authority to collect any amounts
4 owed to the Trustee or this bankruptcy estate from the Erdmann Bankruptcy Estate¹ whether or not
5 the distribution of such amounts are made by the Erdmann Trustee before or after entry of this
6 Dismissal Order. For the avoidance of doubt, the Trustee's right of recovery in the Erdmann
7 Bankruptcy Estate shall not be abandoned upon entry of this Dismissal Order, and shall not revert in
8 Northwest Territorial Mint, LLC. The Trustee shall distribute any funds he collects from the
9 Erdmann Bankruptcy Estate on a pro rata basis to the Administrative Priority Creditors until the
10 allowed amounts of such claims are paid in full. To the extent the amounts received from the
11 Erdmann Bankruptcy Estate exceed the allowed amounts of the Administrative Priority Creditors,
12 the Trustee shall file a motion to reopen the case to obtain an order directing the distribution of such
13 excess funds.

14 G. Pursuant to Sections 105(a), 305(a), 363, and 554 of the Bankruptcy Code and
15 Bankruptcy Rules 1017 and 6007, this Case shall be deemed "fully administered" within the
16 meaning of Section 350 of the Bankruptcy Code, and shall, without further hearing, be dismissed.

17 H. The Unsecured Creditors Committee shall be dissolved and disbanded and its
18 members released and discharged from all liabilities and duties arising from, or related to, this Case
19 and the retention of its counsel shall terminate.

20 I. The Trustee is authorized to abandon and/or destroy, or cause to be abandoned and/or
21 destroyed, any and all of the Debtor's books and records that remain in his possession or control.

22 J. Upon entry of this Dismissal Order, and except with respect to the rights and
23 obligations expressly set forth in this Dismissal Order, the Trustee is released and discharged from
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25 _____
26 ¹ Capitalized terms not defined in this Dismissal Order shall have the meanings given to them in the Dismissal Motion.

1 all duties and obligations created by his appointment as Chapter 11 Trustee in this Case pursuant to
2 Section 1104 of the Bankruptcy Code. The Trustee's Bond is hereby exonerated and the surety under
3 such bond is released from any further liability thereunder.

4 K. The Trustee is authorized to take all necessary steps, perform such actions, execute
5 such documents, and expend such funds as may be necessary to carry out or otherwise effectuate the
6 terms and conditions of this Dismissal Order.

7 L. To the extent applicable, the 14-day stay of this Dismissal Order under Rule 6004(h)
8 of the Federal Rules of Bankruptcy Procedure is waived, sufficient cause having been shown, and
9 this Dismissal Order shall be effective and enforceable immediately upon entry.

10 ~~M. Upon entry of this Dismissal Order, the docket of this case may be marked as~~
11 ~~"closed" by the Clerk of this Court.~~

12
13 ///END OF ORDER///

14 Presented by:

15 K&L GATES LLP

16
17 /s/ Michael J. Gearin

18 Michael J. Gearin, WSBA #20982

19 David C. Neu, WSBA #33143

20 Brian T. Peterson, WSBA #42088

21 Attorneys for Mark Calvert, Chapter 11 Trustee